

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

MUNICIPAL AUTHORITY OF WESTMORELAND COUNTY, on behalf of itself and all others similarly situated,	:	CIVIL ACTION NO. 2:16-CV-422
	:	
	:	(Chief Judge Conner)
	:	
Plaintiff	:	
	:	
v.	:	
	:	
CNX GAS COMPANY, L.L.C. and NOBLE ENERGY, INC.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 29th day of March, 2019, upon consideration of the motions (Docs. 119, 128) for summary judgment filed by defendants CNX Gas Company, L.L.C. (“CNX”) and Noble Energy, Inc. (“Noble”), and the motion (Doc. 124) for partial summary judgment filed by plaintiff Municipal Authority of Westmoreland County (“MAWC”), and for the reasons stated in the accompanying memorandum, it is hereby ORDERED that:

1. The motions (Docs. 119, 128) for summary judgment by CNX and Noble are GRANTED in part and DENIED in part, as follows:
 - a. Summary judgment is GRANTED in favor of CNX and Noble on Counts I, III, IV, and VI.
 - b. Summary judgment is DENIED in all other respects.
2. MAWC’s motion (Doc. 124) for partial summary judgment is DENIED in its entirety.

3. Entry of judgment in accordance with the above paragraphs is DEFERRED pending resolution of the remaining claims and damages disputes *sub judice*.
4. Class certification discovery shall ensue as per the parties' agreement. (See Doc. 52 at 4 ¶ 9(d)).

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania